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F.#2005R00514

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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IN RE: REQUEST FROM REPUBLIC OF TURKEY
PURSUANT TO THE TREATY BETWEEN THE
GOVERNMENT OF THE UNITED STATES OF
AMERICA AND THE GOVERNMENT OF THE
REPUBLIC OF TURKEY ON MUTUAL LEGAL
ASSISTANCE IN CRIMINAL MATTERS IN THE
MATTER OF AYTAC NURAL

O R D E R

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Upon application of the United States, and upon review of the request from the Republic of Turkey seeking evidence under the Treaty between the Government of the United States of America and the Government of the Republic of Turkey on Extradition and Mutual Assistance in Criminal Matters, which entered into force January 1, 1981, 1979 U.S.T. LEXIS 218, and the Court having fully considered this matter,

IT IS HEREBY ORDERED, pursuant to the authority conferred by the Treaty, as well as 28 U.S.C. § 1782 and this Court's inherent authority, that Assistant United States Attorney Amy Busa is appointed as Commissioner (hereinafter the "Commissioner") of this Court and hereby directed to take such steps as are necessary to execute the request. In doing so, the Commissioner is not required to

follow the Federal Rules of Civil Procedure and the following rules shall govern:

1. the Commissioner may issue commissioner's subpoenas to be served at any place within the United States on persons (natural and artificial) ordering them or their representatives to appear and to testify and produce evidence located within the United States;
2. the Commissioner shall provide notice with respect to the collection of evidence to those persons identified in the request as parties to whom notice should be given (and no notice to any other party shall be required);
3. the Commissioner shall adopt procedures to collect the evidence requested consistent with its use in the investigation or proceeding for which it has been requested, which procedures may be specified in the request or provided by or with the approval of the Turkish Ministry of Justice under the Treaty;
4. the Commissioner, in collecting the evidence requested, may be accompanied by persons whose presence or participation is authorized by the Commissioner, including, without limitation, specials agents of the Federal Bureau of Investigation and/or representatives of Turkey who, as authorized or directed by the Commissioner, may direct questions to any witness;

5. any person from whom the Commissioner seeks to collect evidence may, for good cause shown, oppose the giving of evidence, or the circumstances thereof, by motion timely filed with this Court, a copy of which shall be provided contemporaneously to the Commissioner;

6. the Commissioner may seek such further orders of this Court as may be necessary to execute this request; and

7. the Commissioner shall certify and submit the evidence collected to the Office of International Affairs, Criminal Division, U.S. Department of Justice, or as otherwise directed by that office for transmission to the Republic of Turkey.

/s/

UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK

Dated: March 31, 2005